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P 181340Z FEB 07
FM AMEMBASSY BAGHDAD
TO RUEHC/SECSTATE WASHDC PRIORITY 9707
INFO RUCNRAQ/IRAQ COLLECTIVE

C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 000566

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E.O. 12958: DECL: 02/18/2017

TAGS: [PGOV](#) [KDEM](#) [IZ](#)

SUBJECT: DA'WA COUNCIL OF REPRESENTATIVES MEMBER URGES USG
ENGAGEMENT IN DE-BA'ATHIFICATION REFORM

Classified by Deputy Polcouns Charles O. Blaha, reasons 1.4
(b) and (d).

¶1. (C) Summary: Shiite Dawa Party Council of Representatives (CoR) member and Deputy of the National Reconciliation Commission Falih al-Fiyadh discussed key issues before the CoR with poloffs February 15. Al-Fiyadh urged the USG to engage Prime Minister Maliki, former PM Jafaari, SCIRI leader al-Hakim, and the Kurdish leadership on a de-Ba,athification reform law, insisting that these players' support would result in CoR passage. Chair of the Committee for the rights of those affiliated with the army and dissolved entities, al-Fiyadh confirmed that the committee intends to restore full pensions to former Iraqi army members to replace the current small grants. He also briefed poloffs on cross-sectarian Iraqi efforts to address the dire security situation in Diyala province, and on provisional elections. End Summary.

De-Ba,athification

¶2. (C) Al-Fiyadh is aware of the multiple draft de-Ba,athification laws circulating. He insisted that CoR passage of de-Ba,athification reform could be accomplished with the combined support of the PM, former PM and CoR member Ibrahim al-Jaafari, SCIRI leader Abdulaziz al-Hakim, and the Kurdish leadership. Given the importance of this issue for national reconciliation, al-Fiyadh suggests that the U.S. urge these key leaders to come together in support of a single compromise draft. (Note: There is no indication that al-Jaafari is particularly influential in this debate. End Note).

¶3. (C) On what reforms should be included, al-Fiyadh recommended reinstating pensions for former Ba,ath party members and restricting limitations to security or government service to the top 4000 or so at the Firqa/Shuaba level, most of whom he believes have criminal cases against them in any event (Note: Al-Fiyadh is confusing two different levels of Ba,ath membership, and his estimates are do not match Higher National De-Ba,athification Commission (HNDBC) figures. End note). Those without charges, he continued, should be treated like @ular Iraqis8 but banned from key government positions, at least for several years. On the HNDBC, al-Fiyadh said that the decisionmaking on this issue should be transferred from the political realm to the judiciary -- the future role of the HNDBC might be to hear complaints and the refer cases to the courts. This concept, he said, is supported by the Shiite UIA bloc.

Restoring Pensions for Former Military and Civil Servants

¶4. (C) After de-Ba,athification reform, al-Fiyadh said that dealing with the Iraqi military is the next most pressing

item for national reconciliation. Chair of the Committee for the rights of those affiliated with the army and dissolved entities, al-Fiyadh confirmed the committees' intention to restore full pensions to former Iraqi army members to replace the current small grants they currently receive of approximately \$125 per month. He described this group as ripe for recruitment by foreign intelligence and terrorist organizations. He described the committees, intention to notify approximately 250,000 ex-Iraqi military, many living in self-imposed exile, mostly in Jordan, Egypt and Syria, that their pensions would soon be reinstated.

Provisional Elections

15. (C) Asked about Dawa's strategy for provincial elections, Al-Fiyadh Hesitated at first but then said that he was helping Jaafari develop a slate of respected candidates with a nationalist focus to contest the elections. These candidates, he said, could be "Islamist or secular, from any particular current." Al-Fiyadh said that provincial elections are a good opportunity to reconcile Sunnis through participation) some of those who are against the current national system will then be included in local government. He speculated that political participation would eventually lead to the disintegration of militias. On adding a date for elections to the draft provincial powers law, al-Fiyadh said that, as a technical matter, setting the date was the purview of the IECI. However, he continued, the law can say refer to holding elections "as soon as possible." Al-Fiyadh said a good time for the elections would be in five to six months, after a de-Ba,athification reform law has been completed.

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Cross-Sectarian Group Addresses Diyala

16. (C) Al-Fiyadh informed poloffs that one month ago the CoR set up a Diyala "support office" with all the Diyala CoR members, regardless of sect. Following a four-day conference, an Executive Committee was established in Diyala to coordinate on security and coordinate with MNF-I. Al-Fiyadh said solving the security of multi-ethnic Diyala would be much more complicated than in Anbar province, which is solidly Sunni. Diyala,s Kurds are trying to expand their territory. Al-Fiyadh said Sunni-Shia conflicts in the province might be more easily resolved through the province's tribal culture in which sheikhs of both sects have a long history of accommodating each other. Because the Diyala provincial council is not able to meet anymore due to security, the CoR Diyala members group plans to support it financially and arrange for it to meet in Baghdad. Fiyadh assessed central Baquba as 90 percent under AQI control8 and said the CoR group was committed to working with Iraqi security forces to "liberate Baquba."
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